



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NOS. WR-49,780-03, WR-49,780-04, & WR-49,780-05

EX PARTE CLIFFORD WAYNE TRAYLOR, Applicant

**ON APPLICATIONS FOR WRITS OF HABEAS CORPUS
CAUSE NOS. W97-13952Q(B), W97-13953Q(B), & W97-13954Q(B)
IN THE 204TH DISTRICT COURT
FROM DALLAS COUNTY**

Per curiam.

ORDER

Applicant was convicted of three aggravated robbery offenses and sentenced to twenty-eight years' imprisonment for each conviction. The Fifth Court of Appeals affirmed his convictions. *Taylor v. State*, Nos. 05-98-01264-CR, 05-98-01265-CR, & 05-98-01266-CR (Tex. App.—Dallas Apr. 19, 2000) (not designated for publication). Applicant filed these applications for writs of habeas corpus in the county of conviction, and the district clerk forwarded them to this Court. *See* TEX. CODE CRIM. PROC. art. 11.07.

Applicant contended, among other things, that the Parole Board violated his due process rights by revoking his parole without giving him a final parole revocation hearing and by failing to

give him a written statement detailing the evidence relied upon and the reasons for revoking his parole. On September 7, 2022, the Court remanded this claim to the trial court, directing it to: (1) order the Texas Department of Criminal Justice's Office of the General Counsel to obtain a response from a person with knowledge of relevant facts; and (2) make findings of fact and conclusions of law as to whether Applicant was receiving due process in the parole revocation proceedings. The trial court's findings were due to this Court on or before December 6, 2022.

After the Court sent two reminder letters notifying the trial court that it had not complied with our remand order, the Court received a supplemental record on June 6, 2023, containing the trial court's findings of fact and conclusions of law. Although the trial court's findings expressly relied upon affidavits obtained from TDCJ employees Charley Valdez and Lauren Montgomery, neither affidavit was included in the supplemental record. Consequently, the Court issued an order on June 13, 2023, directing the district clerk to supplement the record by forwarding to this Court copies of the affidavits filed by Charley Valdez and Lauren Montgomery, or to certify in writing that the affidavits were not part of the record. The district clerk was ordered to respond within thirty days from the date of the order, but the clerk has not responded to this Court's order.

We, therefore, remand these applications to the trial court, which shall ensure that the habeas record is supplemented with the aforementioned affidavits. *See* TEX. R. APP. P. 73.4(b)(4). The trial court shall respond within thirty days from the date of this order. Any extensions of time must be requested by the trial court and obtained from this Court.